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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/014,893	10/29/2001	Eduard K. de Jong	P-6992	2395
24209 7590 01/29/2007 GUNNISON MCKAY & HODGSON, LLP 1900 GARDEN ROAD SUITE 220 MONTEREY, CA 93940			EXAMINER BATES, KEVIN T	
			ART UNIT 2155	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		01/29/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

10/014,893

Applicant(s)

DE JONG ET AL.

Examiner

Kevin Bates

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 18 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>12-1-06</u> . | 6) <input type="checkbox"/> Other: _____  |

***Response to Amendment***

This Office Action is in response to a communication made on December 18, 2006.

The Information Disclosure Statement received December 1, 2006 has been considered.

Claims 1-6 have been amended.

Claims 7-10 have been newly added.

Claims 1-10 are pending in this application.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reiche (6092196) in view of Rode (6970904).**

**Regarding claims 1, 3, and 5,** Reiche teaches a method for controlling user access to distributed resources on a data communications network (Column 8, lines 9 – 13), the method comprising:

Receiving, by a resource server peer group, a resource request, said resource request including a rights key credential (Column 9, lines 38 – 42), said rights key credential comprising:

at least one key to provide access to a resource on said data communications network (Column 9, lines 3 – 5); and a resource identifier (Column 9, lines 45 – 46), said resource identifier comprising a resource server peer group ID and a user ID (Column 8, lines 65 – 66), said resource server peer group ID identifying said resource server peer group (Column 10, lines 50 – 63), said resource server peer group comprising at least one server that maintains a mapping between a user ID and said at least one key (Column 8, line 64 – Column 9, line 6; Column 10, lines 39 – 49); and

providing access to said resource by said resource server peer group when said at least one key (Column 9, lines 63 – 66) matches an identifier in a set of identifiers associated with said resource (Column 10, lines 50 – 63).

Reiche does not explicitly indicate that the user ID is a randomized user ID.

Rode teaches a system for controlling access to system resources (Abstract) that includes a unique identifier for the user as taught in Reiche, but further teaches that the identifier can be a uniformly chosen random number (Column 2, lines 45 – 54).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Rode's teaching of choosing a random number for the unique identifier in order to allow an identifier be chosen without contain any personal information about the user, allowing the system to keep the user anonymous.

**Regarding claims 2, 4, and 6**, Reiche teaches a method for controlling user access to distributed resources on a data communications network (Column 8, lines 9 – 13), the method comprising: receiving, by a resource server peer group, a resource request, said resource request including a rights key credential (Column 9, lines 38 –

42), said rights key credential comprising: at least one key to provide access to a resource on said data communications network (Column 9, lines 3 – 5) each of said at least one resource stored on a separate secure device (Figure 1, elements 120 and 150); and a resource identifier (Column 9, lines 45 – 46), said resource identifier comprising a resource server peer group ID and a user ID (Column 8, lines 65 – 66), said resource server peer group ID identifying a resource server peer group (Column 10, lines 50 – 63), said resource server peer group comprising at least one server that maintains a mapping between a user ID and said at least one key (Column 10, lines 39 – 49); and providing access to said resource by said resource server peer group when said at least one key (Column 9, lines 63 – 66) matches an identifier in a set of identifiers associated with said resource (Column 10, lines 50 – 63).

Reiche does not explicitly indicate that the user ID is a randomized user ID.

Rode teaches a system for controlling access to system resources (Abstract) that includes a unique identifier for the user as taught in Reiche, but further teaches that the identifier can be a uniformly chosen random number (Column 2, lines 45 – 54).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Rode's teaching of choosing a random number for the unique identifier in order to allow an identifier be chosen without contain any personal information about the user, allowing the system to keep the user anonymous.

**Regarding claims 7 and 9**, Reiche teaches the method of claims 1 and 2, wherein said rights key credential further comprises a nested credential referring to at

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least one credential relating to a resource delivery mechanism (Column 10, lines 50 – 67).

**Regarding claims 8 and 10**, Reiche teaches the method of claims 7 and 9, wherein said providing access further comprises using said resource delivery mechanism.

### ***Response to Arguments***

Applicant's arguments filed December 18, 2006 have been fully considered but they are not persuasive.

The applicant argues that the amendments to claims 1 and 2, identify the request as a single request. The examiner disagrees, the amendments do not differentiate the claims from the reference Reiche in terms of Reiche's negotiation process for obtaining access to resources in the system. Also, Reiche does disclose a single request for a resource, there are just different communication steps as part of that single resource request, though it still meets the limitations of the claimed invention.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Bates whose telephone number is (571) 272-3980. The examiner can normally be reached on 8 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KB

KB  
January 18, 2007

  
SALEH NAJJAR  
SUPERVISORY PATENT EXAMINER